



Finnish Maritime Administration

BULLETIN No. 8/5.6.2000

AMENDMENTS TO THE ACT AND DECREE ON THE PREVENTION OF POLLUTION FROM SHIPS

The Act on the Prevention of Pollution from Ships (hereinafter Act, 300/1979) has been amended by Act 433/2000 of 24 June 1999 and by Act 489/2000 of 26 May 2000. The Decree on the Prevention of Pollution from Ships (hereinafter Decree, 635/1993) has been amended by Council of State Decree 435/2000 of 17 May 2000. The amendments come into force on 1 July 2000.

The amendments to the Act and the Decree include, inter alia, new provisions on mandatory delivery of waste, notifications on ship-generated waste and the payment of fees for ship-generated waste.

Section 3 of the Decree has been amended so as to provide for permission to discharge treated bilge water of less than 15 ppm oil into the water in Finnish territorial waters, if the ship is sailing at a distance of at least 4 nautical miles from the nearest land.

Attached is a summary of the provisions of the Act and the Decree on the Prevention of Pollution from Ships pertaining to the delivery of ship-generated waste into port reception facilities (Annex 1), a form for notification of ship-generated waste, authorized by the Finnish Maritime Administration (Annex 2), an application form for exemption from waste management regulations (Annex 3) and a form for a certificate on exemptions from waste management regulations at the ports of Finland (Annex 4).

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NEW PROVISIONS ON THE DELIVERY OF SHIP-GENERATED WASTE INTO PORT RECEPTION FACILITIES IN THE ACT AND THE DECREE ON THE PREVENTION OF POLLUTION FROM SHIPS

1. Mandatory delivery of ship-generated waste

Pursuant to section 27 a of the Act on the Prevention of Pollution from Ships and section 26 c of the Decree on the Prevention of Pollution from Ships, each Finnish ship calling at a port in the Baltic Sea Area and each foreign ship calling at a Finnish port shall before leaving the port deliver all ship-generated waste and all such cargo residues that, pursuant to the MARPOL 73/78 Convention and the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention, 1992, Series of Treaties 2/2000) cannot be discharged into the sea in the Baltic Sea Area, into port reception facilities. However, small amounts of ship-generated waste carried in waste bins and holding tanks on board need not be delivered to such facilities.

Thus mandatory delivery of ship-generated waste comprises, inter alia, the following types of waste, the discharge into the sea of which is prohibited:

- Waste oils from the machinery space;
- Bilge water, if the ship does not carry bilge water separating equipment, or if the ship operates solely in an area where the use of separating equipment is prohibited;
- Oil residues from cargo spaces;
- Cargo residues of category A or B from chemical tankers;
- Garbage, with the exception of food waste.

Mandatory delivery of ship-generated waste does not, however, apply to the following types of waste:

- Bilge water in holding tanks, if the ship carries bilge water separating equipment;
- Cargo residues of category C or D from chemical tankers;
- Sewage;
- Food waste.

As far as waste oils from machinery spaces are concerned "small amounts of waste" which need not be delivered to reception facilities can be interpreted as the higher amount of the following: 25 % of the total volume of the waste oil tanks, or 5 m³. If the total volume of the waste oil tanks is less than 5 m³, the tanks need not be emptied until they are almost full. The ship shall, however, always have sufficient dedicated onboard capacity to store all waste generated during the next voyage.

Pursuant to section 26 c of the Decree a ship need not deliver waste in the manner prescribed in paragraph 1 of the section, if this, due to reasons not dependent on the ship, would cause the ship unnecessary delay, provided that the ship has sufficient dedicated storing capacity for all generated waste and all waste that will be generated by the ship during the next voyage.

2. Notification of ship-generated waste

Pursuant to section 26 d of the Decree a ship calling at a Finnish port shall send a notification of ship-generated waste to the port in accordance with a form authorized by the Finnish Maritime Administration. The notification shall be submitted not later than 24 hours before arrival or, if the voyage takes less than 24 hours, on departure from the preceding port. If the ship's next port of call

is determined less than 24 hours before arrival thereto, the notification shall be submitted immediately upon determination of the next port of call. The provision applies to all chemical tankers, oil tankers of 150 gross tonnage or more and other ships of 400 gross tonnage or more.

A form for notification of ship-generated waste and cargo residues, authorized by the Finnish Maritime Administration on 31 May 2000, is enclosed (Annex 2).

3. No-special-fee for oily waste

Pursuant to section 16 of the Act, each ship calling at a port is charged a no-special-fee for delivery of oily waste irrespective of whether the ship delivers waste at port or not. The fee may be incorporated in the port due. In such case the part which the non-special-fee constitutes of the port due shall be indicated. The fee may be graded according to ship type and size but it must not be dependent on how much waste the ship delivers at port. A reduction of the fee may be granted if the ship applies such installations or methods or uses such other high-quality fuel oil as results in the ship delivering less oily waste at port than usual.

The port may grant a reduction of the fee if the ship uses high-quality fuel oil or carries waste incineration equipment on board.

4. Exemptions

Pursuant to section 3 and 27 a of the Act and sections 26 c and 26 d of the Decree, the Finnish Maritime Administration may grant a ship in regular service an exemption from the mandatory delivery of ship-generated waste and cargo residues and from the mandatory notification of such waste and residues if the ship has concluded a waste management agreement with a competent company involved in the waste management business or with a port.

Exemptions are granted by the Maritime Safety Department of the Finnish Maritime Administration. Applications can either be made on a form drawn up by the Finnish Maritime Administration (Annex 3) or be free-form, in which case the same information as on the form should be provided. A copy of the waste management agreement or a testimony by the company or port, to the effect that the company or port has concluded a waste management agreement with the ship or shipowner, should be presented.

The ship is granted a certificate of exemption by the Finnish Maritime Administration (Annex 4).

Exemptions issued by the Finnish Maritime Administration are valid at the ship's regular ports of call in Finland. Ships calling at other ports in the Baltic Sea Area are granted exemptions by the authorities of the countries concerned.

A ship that has been granted an exemption is also exempted from payment of the no-special-fee. If necessary, such a ship is entitled to use the port reception facilities at any of the ports mentioned in the ship's exemption certificate although the ship has not concluded a waste management agreement at the port in question. In such cases the port is not obliged to charge a no-special-fee but may charge a fee in accordance with the amount of delivered waste. If the ship calls at a port that is not mentioned in the certificate, the provisions pertaining to the no-special-fee system are applied to the ship.

NOTIFICATION OF SHIP-GENERATED WASTE

INFORMATION TO BE NOTIFIED BEFORE ENTRY INTO THE PORT OF

1. Name, call sign and, where appropriate, IMO identification number of the ship:
2. Flag State:
3. Estimated time of arrival (ETA):
4. Estimated time of departure (ETD):
5. Previous port of call:
6. Next port of call:
7. Last port and date when ship-generated waste was delivered:
8. Are you delivering all ☐ some ☐ none ☐ * of your waste into reception facilities?
9. Type and amount of waste and residues to be delivered and/or remaining on board, and percentage of maximum storage capacity:

If delivering all waste, complete second column as appropriate.

If delivering some or no waste, complete all columns.

TYPE	WASTE TO BE DELIVERED m ³	MAXIMUM DEDICATED STORAGE CAPACITY m ³	AMOUNT OF WASTE RETAINED ON BOARD m ³	PORT AT WHICH REMAINING WASTE WILL BE DELIVERED	ESTIMATED AMOUNT OF WASTE TO BE GENERATED BETWEEN NOTIFICATION AND NEXT PORT OF CALL m ³
1. Waste Oils					
<i>Sludge</i>					
<i>Bilge water</i>					
<i>Others (specify)</i>					
2. Garbage					
<i>Food waste</i>					
<i>Plastic</i>					
<i>Other</i>					
3. Cargo-associated waste ** (specify)					
4. Cargo Residues ** (specify)					

I confirm that the above details are accurate and correct and there is sufficient dedicated onboard capacity to store all waste generated between notification and the next port at which waste will be delivered.

Date.....

Time.....

Signature

* Tick appropriate box.

** May be estimates.



ANNEX 3

APPLICATION

for exemption from mandatory delivery
of ship-generated waste and from notification
of such waste

Name, address and telephone number of shipowner or his representative			
Name of ship	Distinctive number or letters	IMO number	Port of registry/flag state

The undersigned applies for exemption from mandatory delivery of ship-generated waste and notification of such waste, as prescribed in section 27 a of the Act on the Prevention of Pollution from Ships (300/1979) and in sections 26 c and 26 d of the Decree on the Prevention of Pollution from Ships (635/1993).

The ship is engaged in regular service between the following ports:

The ship has concluded an agreement with a waste management company or with the port in the following port(s):

Name of waste management company/companies or port with which the waste management agreement has been concluded: _____

- Appendices: ☐ testimony by the waste management company /port to the effect that the company/port has concluded a waste management agreement with the ship or shipowner concerned,
or
☐ copy of the waste management agreement

Place and date	Signature of shipowner or his representative
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Certificate ☐ to be sent C.O.D. ☐ will be collected at the Finnish Maritime Administration, Registrar's Office

Street address
Porkkalankatu 5
00180 HELSINKI

Postal address
P.O.Box 171
00181 HELSINKI

Telephone
0204 48 40

Fax
0204 48 4336



**TODISTUS ALUSJÄTTEIDEN JÄTTÖPAKKOA JA ILMOITUSVELVOLLISUUTTA
KOSKEVISTA POIKKEUKSISTA SUOMALAISISSA SATAMISSA
INTYG ÖVER UNDANTAG FRÅN OBLIGATORISK AVLÄMNING AV OCH
ANMÄLAN OM FARTYGSAVFALL I FINSKA HAMNAR
CERTIFICATE ON EXEMPTIONS FROM WASTE MANAGEMENT REGULATIONS
AT THE PORTS OF FINLAND**

Aluksen nimi	Tunnuskirjaimet	IMO-numero	Lippuvaltio
Fartygets namn	Signalbokstäver	IMO-nummer	Flaggstat
Name of the vessel	Distinctive Number or Letters	IMO number	Flag State

on seuraavien satamien välisessä säännöllisessä liikenteessä
går i reguljär trafik mellan följande hamnar
is in regular service between the following ports: _____

ja on tehnyt sopimuksen jätteiden jättämisestä alla mainituissa satamassa
och har ingått ett avtal om avlämning av avfall i nedan nämnda hamn
and has made an agreement on delivery of ship-generated waste at the port of _____

ja on siten aluksista aiheutuvan vesien pilaantumisen ehkäisemisestä annetun asetuksen (alusjäteasetus 635/1993)
26 c §:n 4 momentin ja 26 d §:n 3 momentin nojalla vapautettu noudattamasta alusjätteiden jättöpakkoa ja
ilmoitusvelvollisuutta koskevia alusjäteasetuksen säännöksiä yllä mainituissa suomalaisissa satamissa. Aluksista
aiheutuvan vesien pilaantumisen ehkäisemisestä annetun lain (alusjätelaki 300/1979) 16 §:n nojalla alus vapautuu
myös alusjätemaksun maksamisesta yllä mainituissa satamissa.

och är således enligt 26 c § 4 mom. och 26 d § 3 mom. förordningen om förhindrande av vattnens förorening,
förorsakad av fartyg (fartygsavfallsförordningen 635/1993) befriat från iakttagandet av fartygsavfallsförordningens
bestämmelser om obligatorisk avlämning av och anmälan om fartygsavfall i ovan nämnda finska hamnar. Enligt 16 §
lagen om förhindrande av vattnens förorening, förorsakad av fartyg (fartygsavfallslagen 300/1979) befrias fartyget
även från betalning av fartygsavfallsavgift i ovan nämnda hamnar.

and is thus exempted, in accordance with section 26 c, paragraph 4, of the Decree on the Prevention of Pollution from
Ships (635/1993), from the requirements on mandatory delivery of waste and, in accordance with section 26 d,
paragraph 3, of the Decree, on notification of waste at the Finnish ports given above. According to the Act on the
Prevention of Pollution from Ships (300/1979) the vessel is also to be exempted from paying the no-special-fee at the
ports given above.

Tämä todistus on voimassa toistaiseksi.
Detta intyg är i kraft tills vidare.
This certificate is valid until cancellation.

Paikka
Ort
Place _____

Aika
Datum
Date _____

Allekirjoitus
Underskrift
Signed _____

(Todistuksen antaneen viranomaisen leima
Den utfärdande myndighetens stämpel
Stamp of the issuing authority)

